

Appl. No. 09/394,968
Response to Office Action mailed December 31, 2003

REMARKS/ARGUMENTS

Claims

The Examiner rejected claims 1-16 and 18-23. By the present amendment, claims 1-3, 13, 19-21 and 23 have been amended, and new claims 29-34 have been added. Therefore claims 1-16, 18-23 and 29-34 are pending in the application.

Claim Rejections - 35 USC §112

Claims 1, 13, 19, 21 and 23 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner objected to the language "if required" as being unclear.

The rejection is respectfully traversed. Claims 13 and 23 do not include the "if required" language that the Examiner found objectionable. Also, by the present amendment, claims 1, 19, and 21 have been amended to delete the "if required" language.

Claim Rejections - 35 USC §103

Claims 1-16 and 18-23 were rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Application No. 10124516 ("JP516") in view of Church (5,608,622) and Globalink (Globalink links up on-line professional translation service to users' desktops).

The rejection is respectfully traversed. JP516 is a typical automatic machine translator similar to the prior art examples discussed in the "Background to the Invention" section of the present specification. The Examiner has acknowledged that JP516 does not explicitly teach automatically determining if a quotation for human translation of the communication is required. But the Examiner states that such a feature is well known in the art as evidenced by Church at col. 5, lines 1-30. However, those lines of Church state in part "*Translation manager part 103 is employed in the translation process as follows: When the translation service bureau receives a job from a client, it enters information about the job in job details 142 and then analyses the document to be translated and gives the customer a price.*" That makes it clear that the function of giving the customer a price is not performed by the translation manager part 103; rather, it is the translation service bureau that gives the customer a price. And the translation service bureau is a group of human employees and is not a part of the automated translation manager part 103. See col. 3, lines 48-52: "*The presently-preferred embodiment is intended to be used by a translation service bureau and its translators. In some cases, the translators may be employees of the translation service bureau...*" Thus Church does not teach automatically determining if a quotation for human translation is required.

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The Examiner next cited Globalink as disclosing the step of "applying a quotation program to the communication to generate a quotation." Globalink states that *"Customers identify a file to be translated and choose the source and desired languages from a menu. Based on the level of service selected, the programme quickly calculates a price and time estimate – ranging from fast and inexpensive machine translation (sic) ...to more expensive, publication-quality work by professional translators."* The method disclosed in Globalink thus requires the following five steps performed manually by the translation recipient or customer: 1) The customer identifies a file, 2) the customer chooses a source language, 3) the customer chooses a desired translation language, and 4) the customer transmits the above information to Globalink. Globalink then responds with a price and time estimate. Finally, in manual step 5) the customer accepts the price and time estimate and requests the translation.

The Applicant asserts that the above manual method disclosed in Globalink is very different from the claimed automatic method of the present invention. The present claims do not require a recipient to perform any of the above five manual steps taught by Globalink. Instead, present claim 1 teaches automatically and substantially simultaneously forwarding the communication, the machine translation and the quotation to a recipient without any manual assistance from the recipient.

The Applicant therefore submits that the present rejection of the claims under 35 U.S.C. 103 should be withdrawn because neither JP516, nor Church, nor Globalink disclose or fairly suggest automatically and substantially simultaneously forwarding a communication, a machine translation and a quotation to a recipient.

New Claims

The present amendment adds new claims 29-34. Claim 29 is an independent claim to a computer in a networked computer environment. Claims 30-33 are dependent claims that add the steps of performing a human translation of certain keywords contained in a communication, wherein the keywords are predefined by a recipient, and forwarding the human translation of the keywords to the recipient substantially simultaneously with the communication, the machine translation and the quotation. Claim 34 is an additional dependent claim that adds the further limitation of the keywords receiving priority processing with the quotation including highlighting of the keywords.

Support for new claims 30-33 is found in the original specification as filed at page 11, line 22, to page 12, line 4: *"The inventor envisages that an expert system could be employed to 'learn' the situations in which a given recipient requires human translation. For example, the recipient could define keywords such as, order, sale, a name, etc that would automatically be human translated. Alternatively, communications including the keyword receive priority processing with the quotation including highlighting of the presence of the key words."* The Applicant asserts that the new claims are also novel and nonobvious over the prior art cited by the Examiner.

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Request for Telephone Interview

The undersigned attorney has attempted to arrange a telephone interview with the Examiner; however, no interview has yet been scheduled. If the Examiner does not believe that the present amendments and arguments should result in an immediate notice of allowance, the undersigned attorney still respectfully requests that a telephone interview be granted.

Conclusion

The claims have been amended in response to the rejections under 35 USC 112 and new claims have been added that are fully supported by the specification and that are novel and nonobvious over the prior art of record. Further, the Applicant has demonstrated that the three prior art references cited in the Office Action do not disclose or suggest, alone or in combination, the features of the present claims. Accordingly, it is submitted that the application is now in condition for allowance. Reconsideration and allowance of the application is courteously solicited.

Respectfully submitted,

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